16

STANDING COMMITTEE ON LABOUR & WELFARE (1995-96)

TENTH LOK SABHA

THE WORKING JOURNALISTS AND OTHER NEWSPAPER EMPLOYEES (CONDITIONS OF SERVICE) AND MISCELLANEOUS PROVISIONS (AMENDMENT) BILL, 1995

B14

SIXTEENTH REPORT

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LOK SABHA SECRETARIAT
NEW DELHI

August, 1995/Sravana, 1917 (Saka)

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Presented to Lok Sabha on _____

Laid in Rajya Sabha on _____

LOK SABHA SECRETARIAT
NEW DELHI

August, 1995/Sravana, 1917 (Saka)

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COMPOSITION OF THE STANDING COMMITTEE ON LABOUR AND WELFARE
(1995-96)

Shrimati Chandra Prabha Urs — *Chairperson*

MEMBERS

Lok Sabha

2. Shri S.K. Naikar
3. Shri S.B. Thorat
4. Shri Bheru Lal Meena
5. Shri Khagapati Pradhani
6. Shrimati Kamala Kumari Karredula
7. Kumari Padmasree Kudumula
8. Shri Siddappa Bhimappa Nyamagouda
9. Dr. P. Vallal Peruman
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11. Shri A. Prathap Sai
12. Shri B. Akbar Pasha
13. Shri Ramesh Chennithala
14. Shri Dattatraya Bandaru
15. Shri Chandubhai Deshmukh
16. Prof. Rasa Singh Rawat
17. Shri Ram Narain Berwa
18. Shri Shiv Raj Singh Chauhan
19. Shri Swami Sureshanand
20. Shri Ajoy Mukhopadhyay
21. Shri Rup Chand Murmu
22. Shri Vishwa Nath Shastri
23. Shri Mahendra Baitha
24. Dr. R. Sridharan

25. Shri Govinda Chandra Munda
26. Shri Ram Sagar
27. Shri Yaima Singh Yumnam
28. Shri Satyendra Nath Brohmo Chaudhary
29. Shri Anadi Charan Das

Rajya Sabha

30. Maulana Obaidulla Khan Azmi
31. Shri Sushil Barongpa
32. Smt. Vidya Beniwal
33. Shri B.K. Hariprasad
34. Shri Mohindar Singh Kalyan
35. Shri Kanak Mal Katara
36. Shri Gundappa Korwar
37. Shri S. Muthu Mani
38. Shri Moolchand Meena
39. Shri Kameshwar Paswan
40. Shri Ram Ratan Ram
41. Shri Vayalar Ravi
42. Shri Jibon Roy
43. Shri Joyanta Roy

SECRETARIAT

1. Shri S.N. Mishra — *Additional Secretary*
2. Shri G.C. Malhotra — *Joint Secretary*
3. Shri Satish Loomba — *Deputy Secretary*
4. Shri R.S. Misra — *Under Secretary*

INTRODUCTION

I, the Chairperson of the Standing Committee on Labour and Welfare (1995-96) having been authorised by the Committee to submit the Report on their behalf, present this Sixteenth Report on The Working Journalists and Other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions (Amendment) Bill, 1995.

2. The Bill was introduced in Rajya Sabha on 16th May, 1995. It was referred to the Committee by Hon'ble Speaker, Lok Sabha under Rule 331 E (b) of the Rules of Procedure and Conduct of Business in Lok Sabha for examination and Report.

3. The Committee considered the Bill clause by clause at their sitting held on 3rd July, 1995. The Committee took evidence of the representatives of the Newspaper Unions/Federations on 7th August, 1995.

4. The Committee wish to express their thanks to the officers of the Ministry of Labour for placing before them detailed written notes on the subject and for furnishing the information the Committee desired in connection with the examination of the Bill.

5. The Committee also wish to thank in particular the representatives of the following Newspaper Unions/Federations who appeared before the Committee for oral evidence and placed their considered views before them:—

(i) Federation of PTI Employees Union.

(ii) All India Newspapers Employees Federation.

(iii) UNI Employees Federation.

(iv) Indian Journalist Union.

(v) Indian Federation of Small and Medium Newspapers.

6. The Report was considered and adopted by the Committee at their sitting held on 7th August, 1995.

NEW DELHI;
21 August, 1995
Sravana 30, 1917 (Saka)

CHANDRA PRABHA URS,
Chairperson,
Standing Committee on
Labour and Welfare.

REPORT

1.1 The Working Journalists and Other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955 provides for regulation of conditions of service of working journalists, non-journalist newspaper and news-agency employees.

1.2 Section 9 of the Act prescribes the procedure for fixing and revising the rates of wages for working journalists which states:—

"For the purpose of fixing or revising rates of wages in respect of working journalists under this Act, the Central Government shall, as and when necessary, constitute a Wage Board which shall consist of—

(a) two persons representing employers in relation to newspaper establishments ;

(b) two persons representing working journalists ;

(c) three independent persons, one of whom shall be a person who is or has been a Judge of High Court or the Supreme Court and who shall be appointed by that Government as the Chairman thereof."

1.3 Section 13C of the Act prescribes the procedure for fixing and revising the rates of Wages in respect of non-journalists newspaper employees which is reproduced below :—

"For the purpose of fixing or revising rates of wages in respect of non-journalist newspaper employees under this Act, the Central Government shall, as and when necessary, constitute a Wage Board which shall consist of—

(a) two persons representing employers in relation to newspaper establishments ;

(b) two persons representing non-journalist newspaper employees; and

(c) three independent persons, one of whom shall be a person who is or has been, a Judge of a High Court or the Supreme Court and who shall be appointed by that Government as the Chairman thereof."

1.4 The Committee have been informed that following persistent demands, both inside and outside the Parliament, the Cabinet, in its meeting held on 2nd March, 1994 approved the proposal of the Ministry for setting up of new Wage Boards for Working Journalists and non-Journalist Newspaper Employees. In pursuance to the Cabinet decision, the Central Government, on 2nd September, 1994 constituted two Wage Boards, one for working Journalists and the other for the non-Journalist Newspaper Employees.

1.5 The following employers' and employees' organisations have been given representation on the newly constituted Wage Boards :

(a) Wage Board for Working Journalists

(i) **Employers' representatives**

Indian Newspaper Society

Indian Language Newspaper Association

(ii) **Emloyees' representatives**

Indian Federation of Working Journalists

National Union of Journalists (India)

(b) Wage Board for Non-Journalist Newspaper Employees

(i) **Employers' representatives**

Indian Newspaper Society

Indian Language Newspaper Association

(ii) **Employees' representatives**

All India Newspaper Employees' Federation

National Federation of Newspaper Employees

1.6 The Secretary, Ministry of Labour explained that they had received a number of representations in favour of accommodating a third union, namely, the Indian Journalists Union, a new organisation of Journalists which has come out of the Indian Federation of Working Journalists, on the Wage Board for working journalists. The Joint Action Committee of Press Trust of India (PTI) and United News of India (UNI) Employees Federation (of non journalists newspaper employees) had also demanded representation on the Wage Board for non-journalists newspaper employees. Similarly the Indian Federation

of Small and Medium Newspapers had demanded for inclusion of their representative on the Wage Board.

1.7 Keeping in view the representations received from the various organisations the Ministry of Labour have proposed to raise the number of persons on the Wage Boards for Working Journalists and non-journalists. The Ministry of Labour have proposed to amend Section 9 and Section 13C of the Parent Act, 1955 as under :

(a) In section 9 of the Act :—

(i) in clause (a), for the words "two persons", the words "three persons" shall be substituted ;

(ii) in clause (b), for the words "two persons", the words "three persons" shall be substituted ;

(iii) in clause (c), for the words "three independent persons", the words "four independent persons" shall be substituted.

(b) In section 13C of the Act :—

(i) in clause (a), for the words "two persons", the words "three persons" shall be substituted ;

(ii) in clause (b), for the words "two persons", the words "three persons" shall be substituted ;

(iii) in clause (c), for the words "three independent persons", the words "four independent persons" shall be substituted.

1.8 In this connection the Committee heard the views of the representatives of (i) Indian Journalists Union ; (ii) Press Trust of India Employees Union ; (iii) United News of India Employees Federation ; and (iv) Indian Federation of Small and Medium Newspapers.

1.9 In a Memorandum submitted to the Committee, the President of the Indian Journalist Union stated that even though their Union was responsible for persuading the Government for setting up of the Wage Board, they had been deprived of representation on the present Wage Board despite the fact that the membership of the Indian Journalist Union was approximately 10,000. In their view the participation of Indian Journalist Union on the Wage Board, from its very inception, was necessary.

1.10 Adding further, the representative of Indian Journalists Union stated during evidence :

"If we are kept outside the purview of the Wage Board, then it is useless because we represent the largest majority of the working journalists of the country."

1.11 The representatives of the PTI Employees Union and UNI Employees Federation were also not satisfied with the constitution of the Wage Board and stated during evidence :—

"We feel that the constitution of the Wage Boards remain incomplete without any representation of the employees of the news agencies, *viz.* Press Trust of India and United News of India, which form the backbone or the entire media industry, including the visual media."

Adding further the President of the U.N.I. Employees Federation stated :

"UNI Employees Federation is independent and is not affiliated to All India Newspaper Employees or any other Federation. President, PTI Employees Federation was the Member of Bachawat Wage Board. The seat should be given by rotation and this time UNI Employees Federation should be given chance in place of PTI Employees Federation. At least one representative of News Agency staff should be accommodated in Wage Board."

1.12 Supporting their demand for inclusion of their representative on the Wage Board, the President of the Indian Federation of Small and Medium Newspapers stated :

"The constitution of the Wage Board, in its present form, has been protested by the small and medium newspapers owners. We have been deprived of our well-deserved representation as employers' representatives. The small and medium newspapers are strongly of the view that they have no representative on the existing Wage Board to protect their interests. Their economy is weak, unlike affluent newspapers. The Wage Board is to be apprised of the real prevailing conditions of small and medium newspapers through their representative body which alone can place their views in right perspective before the Wage Board."

1.13 The Committee note that The Working Journalists and other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955 provides for regulation of conditions of service of working journalists and other persons employed in newspaper establishments. Section 9 of the Act provides for the constitution of a Wage Board for fixing or revising the wages in respect of working journalists, and section 13C provides for the constitution of similar Board in respect of non-journalist newspaper employees. Under the provisions of these sections, each Board shall consist of two persons representing employers in relation to newspaper establishments, two persons representing working journalists or, as the case may be, non-journalist newspaper employees, and three independent persons, one of whom shall be a person who is, or has been, a Judge of a High Court or the Supreme Court who shall be appointed by the Central Government as the Chairman of the Board. The Central Government had constituted on 2nd September, 1994 two Wage Boards, one for working journalists, and the other for non-journalist newspaper employees. There has been a demand from employers, working journalists and non-journalist newspaper employees to increase the representation for each category in the Wage Boards to provide for a wider representation.

1.14 The Ministry of Labour have, therefore, proposed to amend sections 9 and 13C of the Act to provide for a wider representation to all the constituents of the Wage Boards by increasing the number of representatives by one for each such category. The amendments will enable the Central Government to provide a broad base not only to the existing Wage Boards but also to the Wage Boards that may be constituted in future.

1.15 The Committee are convinced with the arguments given by the representatives of Newspaper Unions/Federations, who appeared before the Committee, that in order to give a wider representation to various Unions/Federations on the Wage Boards, the number of persons should be raised.

1.16 The Committee are, therefore, of the opinion that the Ministry of Labour has rightly proposed to amend Sections 9 and 13C of the Parent Act, 1955 to raise the representation of newspaper Employers'/Employees' organisations and Independent Members on the new Wage Boards from existing "two persons" to "three persons" and from "three independent persons" to "four independent persons" respectively.

1.17 The Committee approve the proposed amendments in The Working Journalists and Other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions (Amendment) Bill, 1955 and support the Bill in its entirety.

NEW DELHI;
21 August, 1995
30 Sravana, 1917 (Saka)

CHANDRA PRABHA URS,
Chairperson,
Standing Committee on
Labour and Welfare.

ANNEXURE-I

MINUTES OF THE NINTH SITTING OF THE STANDING COMMITTEE ON LABOUR AND WELFARE HELD ON 3 JULY, 1995

The Committee sat from 15.00 hrs. to 16.30 hrs. in Committee Room 'D', Parliament House Annexe, New Delhi.

PRESENT

Smt. Chandra Prabha Urs — *Chairperson*

MEMBERS

Lok Sabha

2. Shri Dattatraya Bandaru
3. Prof. Rasa Singh Rawat
4. Shri Ram Narain Berwa
5. Shri Shiv Raj Singh Chauhan
6. Shri Mahendra Baitha
7. Shri Ajoy Mukhopadhyay
8. Shri Rup Chand Murmu
9. Shri Vishwanath Shastri

Rajya Sabha

10. Shri Gundappa Korwar
11. Shri Ram Ratan Ram
12. Shri Jibon Roy
13. Shri Jayanta Roy
14. Sh. Mohinder Singh Kalyan
15. Shri B.K. Hariprasad

SECRETARIAT

1. Shri Satish Loomba — *Deputy Secretary*
2. Shri R.S. Misra — *Under Secretary*

REPRESENTATIVES OF THE MINISTRY OF LABOUR

1. Shri S. Gopalan — *Secretary*

2. Shri Abhik Ghosh — *Joint Secretary*

At the outset, Chairperson welcomed the Members and other officials of the Ministry of Labour. Thereafter, she informed the Members that The Working Journalists and Other Newspapers Employees (Conditions of Service) and Miscellaneous Provisions (Amendment) Bill, 1995 has been referred to the Committee by Speaker, Lok Sabha for detailed examination and Report. The Secretary, Ministry of Labour explained the objects and reasons of the Bill and resolved the queries raised by the Members.

2. Some of the Members were of the view that representatives of the Newspaper Employees Unions may be requested to appear before the Committee in their next Sitting and place their views in the matter. It was unanimously decided that the representatives of (i) Indian Journalist Union, (ii) Indian Federation of Small and Medium Newspapers, (iii) Federation of PTI Employees Union and (iv) UNI Employees Federation should be invited to appear before the Committee.

The Committee then adjourned.

ANNEXURE-II

MINUTES OF THE ELEVENTH SITTING OF THE STANDING COMMITTEE ON LABOUR AND WELFARE ON 7 AUGUST, 1995

The Committee met from 15.00 hrs. to 16.30 hrs. in Committee Room 'D', Parliament House Annexe.

PRESENT

Smt. Chandra Prabha Urs — *Chairperson*

MEMBERS

Lok Sabha

2. Shri Bheru Lal Meena
3. Shri B. Akbar Pasha
4. Prof. Rasa Singh Rawat
5. Shri Ram Narain Berwa
6. Shri Govinda Chandra Munda
7. Shri Ajoy Mukhopadhyay
8. Shri Satyendra Nath Brohmo Choudhary

Rajya Sabha

9. Maulana Obaidulla Khan Azmi
10. Shri Kanak Mal Katara
11. Shri Gundappa Korwar
12. Shri Jibon Roy
13. Shri Mohinder Singh Kalyan
14. Shri Ram Ratan Ram

SECRETARIAT

1. Shri G.C. Malhotra — *Joint Secretary*
2. Shri Satish Loomba — *Deputy Secretary*
3. Shri R.S. Misra — *Under Secretary*

REPRESENTATIVES OF THE MINISTRY OF LABOUR

1. Shri M.N. Buch — *Additional Secretary*

REPRESENTATIVES OF NEWSPAPER UNIONS/FEDERATIONS

1. Shri Suresh Akhouri,
   President,
   Indian Journalists Union

2. Shri Amitabh Rai Choudhary,
   President,
   PTI Employees Union

3. Shri S.W. Dhabe, Ex-M.P.,
   President,
   UNI Employees Federation

4. Shri M.V. Sasidharan,
   General Secretary,
   UNI Employees Federation

5. Shri K.L. Kapur,
   General Secretary,
   All India Newspaper Employees Federation

6. Mrs. Pushpa Pandeya,
   National President,
   Indian Federation of Small and Medium Newspapers

1. At the outset, the Chairperson, Standing Committee on Labour and Welfare welcomed the Members and representatives of the Newspaper Unions/Federations and apprised them that The Working Journalists and Other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions (Amendment) Bill, 1995 has been referred to the Committee for examination and report and the Committee have decided to hear the views of the invitees before finalising the Report.

2. The Committee heard the views of the representatives of Indian Journalists Union, PTI Employees Union, UNI Employees Federation and Indian Federation of Small and Medium Newspapers. The Members desired to know whether they were satisfied with the composition of the Wage Board constituted by the Ministry of Labour

on 2nd September, 1994. The President of the Indian Journalists Union stated during evidence:—

"If we are kept outside the purview of the Wage Board, then it is useless because we represent the largest majority of the working journalists of the country."

3. The representatives of the PTI Employees Union and UNI Employees Federation were also not satisfied with the constitution of Wage Boards and stated during evidence:

"We feel that the constitution of the Wage Boards remain incomplete without any representation of the employees of the news agencies, *viz.* Press Trust of India and United News of India, which form the backbone of the entire media industry, including the visual media."

Adding further the President of the UNI Employees Federation stated :

"UNI Employees Federation is independent and is not affiliated to All India Newspaper Employees or any other Federation. President, PTI Employees Federation was the Member of Bachawat Wage Board. The seat should be given by rotation and this time UNI Employees Federation should be given chance in place of PTI Employees Federation. At least one representative of News Agency staff should be accommodated in Wage Board."

4. Supporting their demand for inclusion of their representaive in the Wage Board, the President of the Indian Federation of Small and Medium Newspapers stated:

"The constitution of the Wage Board, in its present form, has been protested by the small and medium newspapers owners. We have been deprived of our well-deserved representation as employees representatives'. The small and medium newspapers are strongly of the view that they have no representative on the existing Wage Board to protect their interests. Their economy is weak, unlike affluent newspapers. The Wage Board is to be apprised of the real prevailing conditions of small and medium newspapers through their representative body which alone can place their views in right perspective before the Wage Board."

5. The Chairperson thanked the representatives of the Newspaper Unions/Federations for appearing before the Committee and for placing their considered views on the Bill before them.

The witnesses then withdrew.

6. Thereafter the Committee met for further deliberations on The Working Journalists and other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions (Amendment) Bill, 1995 and having considered it clause by clause, supported it without any change. The Committee also authorised the Chairperson to finalise and present the Report on the Bill, on their behalf, to the Parliament.

The Committee then adjourned.